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Security Council

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Letter dated 7 April 2011 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you, and through you to the members of the Security Council, clarification points regarding the referendum on the administrative status of Darfur, which will be conducted in accordance with the Darfur Peace Agreement signed in Abuja on 5 May 2006 and the Presidential Decree issued by the President of the Republic of the Sudan, Omar Hassan Al-Bashir, on 29 March 2011 in order to create a conducive atmosphere for the ongoing political process towards lasting peace and stability in Darfur (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

11-29763 (E) 140411

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Annex to the letter dated 7 April 2011 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Clarifications regarding the referendum on the administrative status of Darfur

- The referendum on the administrative status of Darfur is due to be conducted according to the Abuja Agreement, which was signed by the Government of the Sudan and acknowledged by the international community. Article 55 of the Agreement, entitled "The Permanent Status of Darfur", states the following: "The permanent status of Darfur shall be determined through a referendum held simultaneously in the three states of Darfur." According to the Agreement, "the referendum on the status of Darfur shall be held no later than 12 months after the elections in Darfur, which shall be held simultaneously with the national elections as specified in the Interim National Constitution, and in any case no later than July 2010".

- Voting shall be exercised only by the citizens of the three states of Darfur, as stipulated in article 55.

- It is well known that the Sudan is approaching the process of drafting the permanent constitution after the transitional period of the referendum of southern Sudan in July 2011, which requires the determination of the administrative status of Darfur before that date.

- As stipulated in the Abuja Agreement, the National Elections Commission will organize and supervise the referendum in accordance with the General Elections Law.

- The referendum shall be monitored internationally. Article 58 of the Agreement states: "The National Elections Commission (NEC) shall organize and supervise the referendum on the status of Darfur. The National Elections Law shall specify the rules and procedure governing the referendum. The referendum shall be internationally monitored."

- As clarified above, the National Elections Commission will oversee the referendum process. The role of the Transitional Darfur Regional Authority (TDRA) does not involve supervising the organization of the referendum, but is limited to overseeing the implementation of the Abuja Agreement, as outlined in article 53 (a): "The TDRA shall exercise the following functions: (a) Undertake primary responsibility for coordinating the implementation and follow-up of this Agreement. Such responsibility shall include, in particular, facilitating the return of refugees and internally displaced persons, coordinating the restoration of security, and promoting peace and reconciliation throughout Darfur."

- The Government will create a conducive environment for conducting the referendum by taking a number of measures and procedures, including the lifting of the state of emergency in Darfur and guaranteeing the freedom of assembly and expression and allowing campaigning for either option (region or states).

- The referendum will not conflict with the Doha talks, and the Government will continue its engagement in the Doha forum with a view to signing a peace agreement. The Government informed the Mediation of its intention to hold the referendum and the Mediation did not express any objection.

- The referendum on the administrative status of Darfur shall not affect the Darfur political process and the holding of the Darfur-Darfur Conference, which will be organized by the African Union High-level Implementation Panel chaired by President Mbeki and mandated by the African Union, in coordination with the African Union-United Nations Hybrid Operation in Darfur.

- The Government will consult with political forces as well as the armed groups which have signed the Abuja Agreement and the Declaration of Principles on the procedures for conducting the referendum, which will achieve the objective of allowing the populations of Darfur states to vote in a free and fair referendum to determine the permanent administrative status of Darfur.

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General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Security Council
Sixty-sixth year

Letter dated 7 April 2011 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

In response to the letter of 29 March 2011 and its related annex circulated by the Permanent Representative of Azerbaijan and contained in document A/65/801-S/2011/208, I would like to draw your attention to the fact that the recent report of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group Co-Chairs on the Field Assessment Mission to the territories surrounding Nagorno-Karabakh, presenting the view of the Co-Chairs on the existing situation in these areas, as the previous report of 2005, clearly denies the disinformation and the distortion of facts disseminated by the Azerbaijani propaganda machine.

It is regrettable that Azerbaijan is once again misusing and misinterpreting the report of the Field Assessment Mission, just as in 2005, in order to justify its militaristic rhetoric and to move the discussions on the Nagorno-Karabakh conflict to other formats which can be harmful for the peace process in the framework of the OSCE Minsk Group.

Azerbaijan's own interpretation of this report contradicts the explanation of the Minsk Group Co-Chairs' presented in the document, thus discrediting their efforts.

We expect the OSCE Minsk Group Co-Chairs to visit the northern part of Martakert region of Nagorno-Karabakh, the eastern part of Martuni region as well as Shahumyan region as soon as possible and to make a relevant report on the situation in these regions.

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Armenia shares the position of the Co-Chairs stated in the report that only a peaceful settlement and negotiations can provide the prospects of a more definite future for the region.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

United Nations A/65/806–S/2011/235

General Assembly
Security Council

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General Assembly
Sixty-fifth session
Agenda item 43
Question of Cyprus

Security Council
Sixty-sixth year

Letter dated 5 April 2011 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 31 March 2011, addressed to you by Hilmi Akil, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Ertuğrul **Apakan**
Permanent Representative

11-29614 (E) 140411

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Annex to the letter dated 5 April 2011 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 15 March 2011, addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/65/786–S/2011/145), which yet again contains well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following.

In response to such false allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. It should be stressed that claims of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only authority competent to provide air traffic and aeronautical information services.

As stated in our previous letters, such assertions are based on the false and unlawful claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This pretentious contention by the Greek Cypriot side ignores the present realities on the island of Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within its respective territory.

Attempts by the Greek Cypriot side, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile since the Turkish Cypriot people will never give in to their unjust demands. What would indeed be conducive to a better atmosphere on the island would be for the Greek Cypriot side to stop arrogating to itself rights and responsibilities it does not legally have, and to cease all hostilities towards the Turkish Cypriot people.

Furthermore, the Greek Cypriot administration should be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey, and that its persistent denial of the Turkish Cypriot rights in the North of the island does not bode well for the prospects of a settlement of the Cyprus conflict in line with the established United Nations parameters, namely a partnership based on a bizonal, bicommunal federation with the political equality of the two constituent States.

I would like to put on record once again that the Turkish Cypriot side is ready and doing its best to achieve a settlement in the form of a new partnership which will be in line with the established United Nations parameters and body of work. Instead of continuing with its well-known allegations, which clearly do not contribute to a spirit of trust and partnership between the two sides, the Greek Cypriot side must show commitment and participate constructively in the United Nations-led negotiations to pave the way for a mutually acceptable and fair settlement in Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Hilmi **Akil**
Representative
Turkish Republic of Northern Cyprus